

REMARKS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-23, 25-26 and 30-35 are pending in this application.

Information Disclosure Statement:

Section 2 (page 2) of the Office Action indicates that “The information disclosure Statements filed on September 12, 2007 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609.” Applicant notes, however, that the following “Other Documents” have not been initialed on the Form PTO-1449: Entire prosecution history of U.S. Application No. 10/471,424 downloaded from USPTO PAIR system on September 12, 2007. Applicant assumes that these “Other Documents” have been considered, particularly in light of the above statement in Section 2. Clarification is respectfully requested if this assumption is incorrect.

Objection to the Claims:

Claims 27- 29 have been canceled, thereby rendering the objection to the claims moot.

Rejections under 35 U.S.C. §103:

Claims 1-23 and 25-35 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Kramer et al. (U.S. ‘574, hereinafter “Kramer”) in view of Wang et al. (U.S. ‘147, hereinafter “Wang”). Applicant respectfully traverses this rejection.

The combination of Kramer and Wang fails to teach or suggest all of the claim limitations. In particular, the combination fails to teach or suggest updating score values of respective attribute data items in response to user input as a browsing session continues as required by independent claims 1, 9 and 26 and their respective dependents.

Page 7 of the Office Action admits that Kramer fails to teach “means for amending the score values in response to the user inputs as said browsing session continues.” Wang fails to

resolve this admitted deficiency of Kramer since Kramer and Wang use very different data structures, their scoring processes are not even measuring the same thing, and Wang's scoring involves applying scores to quite different entities than Kramer.

Paragraph 0119 (specifically referred to by the Office Action) of Kramer explicitly mentions a tree structure. This tree structure provides a structure to the data which is completely foreign to the less-structured attribute-based data structure required by the claims which allows browsing. The other passages referred to by the Office Action relate to a process for allowing a browsing session to be transferred from one user device to another. (See paragraph [0195]). In particular, devices with limited data presentation capabilities require the data to be presented in different ways, notably the generation of "derivative" content from "primary" content as described in paragraph [0159]. However, this derivative content is, as its name suggests, derived from the primary content - e.g., an abridgement.

As noted above, the scoring processes used by Kramer (col. 21) and Wang (paragraph [0096]) do not measure the same thing. Kramer scores different data items to compare one with another, whereas Wang scores elements of the same data item to determine which are appropriate to use when transferring from one device to another. One of ordinary skill in the art, having common sense at the time of the invention, would not have reasonably looked to Wang's scoring to modify Kramer's scoring (which the Office Action admits is deficient with respect to the claimed invention) since their scoring processes do not measure the same thing, they involve two quite distinct classification systems. Just because both Kramer and Wang use the same term "score" does not provide teaching or suggestion of any equivalence between them that would allow the principles of one to be used in the other.

Dependent claim 5 requires “provision is made for users to input both positive and negative reward values.” Similar comments apply to dependent claim 17. While col. 9, lines 28-31 (specifically identified by the Office Action) of Kramer discloses input fields, Kramer fails to disclose providing a user to input both positive and negative and positive reward values as required by these claims.

Col. 3, lines 22-25 (also specifically identified by the Office Action) of Kramer discloses the following:

The consumer attributes may be defined in a hierarchical model, with aggregated attributes having values derived from lower level attributes (either themselves aggregated, or base level attributes). In this way arbitrarily complex queries can be evaluated against the model to target very specific consumers.

Col. 11, lines 1-4 (also specifically identified by the Office Action) and following text of Kramer discloses the following:

The characteristic values for an object will be represented as a vector of real numbers where each value measures the degree to which the corresponding characteristic applies to the consumer or product. For example the value of the conservative attribute may have a value between 0 and 1 where 1 represents complete conservatism and 0 represents complete radicalism.

Clearly, none of these portions of Kramer discloses “provision is made for users to input both positive and negative reward values.”

Dependent claim 33 further requires “wherein the sum of all score values remains the same value even after the score values are amended in response to the user inputs.” While col. 11, lines 17-21 and col. 28, lines 61-63 (specifically identified by the Office Action) make reference to a weighted sum, this teaching clearly does teach or suggest the above noted limitation. Similar comments apply to claims 34-35.

Claims 1, 9 and 26 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Kramer in view of Edlund et al. (U.S. '388, hereinafter "Edlund"). Applicant traverses this rejection.

Like page 7, page 36 of the Office Action admits that Kramer fails to teach "means for amending the score values in response to the user inputs as said browsing session continues." Edlund fails to resolve this admitted deficiency of Kramer since Edlund's scoring system for the sources (column 16) relates to popularity of the source and its relatedness to a keyword or other search term (columns 7 and 8). There is no suggestion of scoring by relatedness to previously-selected items. Again, the Office Action equates two concepts that are not the same. The search results in Edlund are presented in a hierarchical structure and thus teach away from the quasi-random process that selects the next item resulting from the attribute based system of the present invention. The process of the present invention makes no use of hierarchical data structures.

Accordingly, Applicant respectfully requests that the above rejections under 35 U.S.C. §103 be withdrawn.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

TATESON et al
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Respectfully submitted,

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